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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,258	01/21/2004	Kia Silverbrook	RRA33US	1043
24011	7590	11/25/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			GARCIA JR, RENE	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/760,258

Applicant(s)

SILVERBROOK, KIA

Examiner

Rene Garcia, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08 November 2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Page 9 line 7 makes reference to silicon wafer substrate "801", perhaps mean "8015".

Appropriate correction is required.

2. Claim 5 is objected to because of the following informalities: Claim 5 (page 29, line 21) "to" missing between "arranged verify". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook (US 6,158,850).

Cook disclose the following claimed limitations:

*regarding claim 1, method for refilling a removable (col. 5, lines 44-46) inkjet cartridge/**base cartridge assembly, 10/** including the steps of:

*mating/**mounting/** the removable inkjet cartridge/**3/** to a complementary inkjet cradle/**carrier/** (col. 5, lines 44-46)

*mating/**mounted/** a refill cartridge/**secondary tank, 12/** to the removable inkjet cartridge/**10/** (col. 5, lines 65-66).

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*verifying the authenticity of the removable inkjet cartridge/**10/** (col. 6, lines 26-38)

*verifying the authenticity of the refill cartridge/**12/** (col. 6, lines 26-38)

*subsequently operating the cradle on the basis of the verification steps (col. 5, line 50-
col. 6, line 38 – carrier moves/operates/ when the image is to be printed wherein the nozzle plate
needs ink from base ink reservoir/**20/** wherein ink reservoir/**20/** keeps up its supply of ink from
secondary ink tank/**12/** - however if secondary ink tank/**12/** is incompatible no ink will be
supplied therefore printing can not take place and carrier can not be operated)

*regarding claim 3, step of mating the refill cartridge/**secondary ink tank, 12/** to the
removable inkjet cartridge/**base cartridge assembly, 10/** includes facilitating electrical
communication/**electrical interface/** (col. 6, lines 25-36) between an authentication
device/**memory, 30/** of said refill cartridge/**12/** and a controller/**printer electronics, 27/** of said
cradle (col. 5, lines 44-46)

*regarding claim 4, step of subsequently operating the cradle (col. 5, lines 44-46) on the
basis of the verification steps includes indicating to a user a failure to authenticate either the refill
cartridge/**12/** or the removable inkjet cartridge/**10/** (figs. 4b-6b; col. 8, lines 46-50)

*regarding claim 5, inkjet printer (col. 1, lines 7-15) including a controller/**printer
electronics, 27/** (col. 6, lines 25-38) arranged verify authenticity devices/**memory, 28 & 30/** of a
removable inkjet printer cartridge/**base cartridge assembly, 10/** of said printer and a refill

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cartridge/**secondary ink tank, 12/** coupled/**mounted/** (figs. 1 & 2; col. 5, lines 65- col. 6, line 5)
to the removable inkjet printer cartridge/**10/**

*regarding claim 7, authenticity devices/**memory, 28 & 30/** comprise integrated circuits
(col. 6, lines 39-45)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US
6,158,850) in view of Norton (US 6,293,649).

Cook discloses all of the claimed limitations except for the following:

*regarding claim 2, step of mating the removable inkjet cartridge to a complementary
inkjet cradle includes facilitating electrical communication between an inkjet cartridge and a
controller of said cradle

Norton disclose the following:

*regarding claim 2, step of mating (fig. 1B) the removable inkjet cartridge/**22/** to a
complementary inkjet cradle/**carriage unit, 15/** includes facilitating electrical communication
between an inkjet cartridge/**22/** and a controller/**print controller electronics, 49/** of said

cradle/15/ (figs. 1B, 3 & 7B; col. 4, lines 46-56) for the purpose of controlling the ejection of ink from the printhead/25/

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize a step of mating the removable inkjet cartridge to a complementary inkjet cradle includes facilitating electrical communication between an inkjet cartridge and a controller of said cradle as taught by Norton into Cook for the purpose of controlling the ejection of ink from the printhead.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US 6,158,850) in view of Barclay (US 2003/0007023).

Cook disclose all of the claimed limitations except for the following:

*regarding claim 6, controller is located within a cradle of said printer and coupled to electrical contacts mounted on a body of the cradle at positions to establish electrical communication with said authenticity devices

Barclay et al. disclose the following:

*regarding claim 6, controller/**print-head controller, 234/** (fig. 6) is located within a cradle/**carriage assembly, 22/** of said printer/**print engine, 10/** (fig. 1A paragraph 0087) and coupled to electrical contacts mounted on a body of the cradle/**22/** at positions to establish electrical communication with said authenticity devices (paragraph 0126) for the purpose of performing data management and control operations related to routing image data to inkjet print cartridges.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize controller is located within a cradle of said printer and coupled

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to electrical contacts mounted on a body of the cradle at positions to establish electrical communication with said authenticity devices as taught by Barclay et al. into Cook for the purpose of performing data management and control operations related to routing image data to inkjet print cartridges.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Watanabe et al. (US 2002/0118263) discloses a removable cartridge with electrical connections between cartridge and carriage and refill cartridge. Oda et al. (US 6,520,630) discloses a main tank and method of attaching a sub-tank to its upper portion and a carriage to mount on. Hirano et al. (US 20020063759) discloses ink tank and ink supplying apparatus and method for an inkjet printer.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rene Garcia Jr
14 November 2005



K. FEGGINS
PRIMARY EXAMINER